

<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY</b>	
Caption in Compliance with D.N.J. LBR 9004-2(c) Nicholas Poduslenko, Esquire Edmund M. George, Esquire Obermayer Rebmann Maxwell & Hippel LLP 1120 Route 73, Suite 420 Mount Laurel, NJ 08054 (856) 795-3300 (856) 482-0504 (fax) <i>Attorneys for Ron and Rima Seal</i>	
<b>In re:</b>  <b>MATHEW K. PIERSON</b>  <b>Debtor.</b>	<b>Chapter 7</b>  <b>Case No. 21-11080-KCF</b>
<b>RON AND RIMA SEAL</b>  <b>Plaintiffs,</b>  <b>v.</b>  <b>MATHEW K. PIERSON,</b>  <b>Defendant.</b>	<b>ADVERSARY NO. 21-1264</b>  <b><u>ORDER GRANTING PLAINTIFFS' CROSS- MOTION FOR SUMMARY JUDGMENT AND DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGEMENT AND MOTION TO DISMISS ADVERSARY PROCEEDING PURSUANT TO F.R.C.P. 56, 12(b)(6) and 8(a)(2)</u></b>

The relief set forth on the following pages numbered two (2) through three (3) is  
hereby **ORDERED**.

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**Debtor:** Matthew K. Pierson  
**Case No:** 21-11080-KCF  
**Adversary No:** 21-1264-KCF  
**Caption of Order:** Order Granting Plaintiffs' Cross-Motion for Summary Judgment and Denying Defendant's Motion for Summary Judgment and Motion to Dismiss Adversary Proceeding Pursuant to F.R.C.P. 56, 12(b)(6) and 8(a)(2)

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**AND NOW**, upon consideration of Ron and Rima Seal's (the "Plaintiffs") Cross-Motion for Summary Judgment and Opposition to Mathew K. Pierson's ("Mr. Pierson") Motion for Summary Judgment and/or to Dismiss Pursuant to Federal Rules of Civil Procedure 56, 12(b)(6) and 8(a)(2) (the "Cross-Motion")<sup>10</sup>; and after a review of the Certification of Rima Seal; and after notice and a hearing; and after due deliberation, good cause shown, and the Court finding:

1. Mr. Pierson's Motion for Summary Judgment and/or to Dismiss Pursuant to Federal Rules of Civil Procedure 56, 12(b)(6) and 8(a)(2) is baseless;

2. There are no disputed material facts as to Mr. Pierson's conduct being willful and malicious;

3. Mr. Pierson's conduct falls within the willful and malicious exception where the judgment in the State Court Action entered against Mr. Pierson is not dischargeable;

4. The judgment in the State Court Action is not dischargeable in these Chapter 7 bankruptcy proceedings;

5. There are no disputed material facts as to Plaintiffs' Cross-Motion; and

**THEREFORE;**

**IT IS** on this \_\_\_\_ day of \_\_\_\_\_, 2022, **ORDERED** and **DECREED** as follows:

1. Mr. Pierson's Motion for Summary Judgment and/or to Dismiss Pursuant to Federal Rules of Civil Procedure 56, 12(b)(6) and 8(a)(2) is **DENIED**.

<sup>10</sup> Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Cross-Motion.

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2. Plaintiffs' Cross-Motion is **GRANTED** in its entirety.
3. Summary Judgment is **GRANTED** in the Plaintiffs' favor.
4. The judgment in the State Court Action shall not be discharged.
5. The terms and conditions of this Order are immediately effective and enforceable upon its entry, any stay applicable under the Bankruptcy Rules or Local Rules is hereby expressly waived and shall not apply.
6. The Plaintiffs are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order.
7. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this Order.